



COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

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COMMISSIONER

April 28, 2008

Stacy L. Parker
Senior Director, Regulatory Affairs
Comcast Cable Communications, Inc.
12 Tozer Road
Beverly, MA 01915

Dear Ms. Parker:

With the completion of the discontinuance of Comcast Communication's ("Comcast") Digital Phone service imminent within the next month or so, the Department of Telecommunications and Cable ("Department") is interested in better understanding the implications of this change for Comcast's regulatory status in Massachusetts. In verbal statements to the Department, Comcast has stated that once it completes the migration of its customers to its Digital Voice VoIP service, provided over an Internet Protocol network platform, it will no longer be a telecommunications common carrier subject to state regulatory jurisdiction under G.L. c. 159, but instead will be a non-regulated VoIP provider subject exclusively to Federal Communications Commission ("FCC") jurisdiction.

Comcast has indicated to the Department that despite this change in regulatory status, there will be few changes in the Company's compliance with existing Massachusetts regulatory obligations, as the Company has agreed to voluntarily comply with most of the Massachusetts regulatory obligations to which it is currently subject. In an effort to understand in more detail the scope of this commitment, the Department requests that Comcast respond to the following information requests:

1. Please discuss in detail how Comcast's state and federal regulatory obligations will change as a result of its change in regulatory status.
2. Please provide a comprehensive list of those state and federal regulatory obligations to which Comcast will no longer be subject and will no longer comply (e.g., no longer filing tariffs).

3. Please provide a comprehensive list of those state and federal regulatory obligations to which Comcast will continue to be subject and will comply. For each regulatory obligation, please indicate if compliance will be on a mandatory or voluntary basis.
4. Please provide a comprehensive legal analysis, with citation to relevant law, supporting Comcast's position that as a fixed (or non-nomadic) VoIP provider, it will not be subject to state regulatory authority.
5. The Department is aware that Comcast has submitted a formal request for interconnection with Granby Telephone Company ("Granby") of Granby, Massachusetts, pursuant to Sec. 251 and 252 of the Telecommunications Act of 1996. In the March 5, 2008 letter, Comcast represented that it is a certified competitive local exchange carrier in Massachusetts, and has the legal right to negotiate or arbitrate an interconnection agreement with Granby by virtue of its status as a telecommunications carrier.

In addition, the Department is aware of a petition filed on April 11, 2008, by the Vermont Telephone Company with the FCC seeking clarification regarding whether VoIP providers are entitled to the interconnection rights of telecommunications carriers. See Federal Communications Commission Public Notice DA 08-08-916, WC Docket No. 08-56, at page 1 (dated April 19, 2008) (establishing Pleading Cycle for Comments on Vermont Telephone Company's Petition for Declaratory Ruling Regarding Interconnection Rights). According to the Notice, Vermont Telephone Company "[s]pecifically . . . seeks clarification regarding: (1) whether only telecommunications carriers are entitled to interconnection with local exchange carriers pursuant to sections 251 and 252; (2) whether a VoIP provider is entitled to interconnection pursuant to sections 251 and 252 when, in separate proceedings, that provider has taken a position that it is not a telecommunications carrier; and (3) whether Comcast Phone of Vermont, LLC, as a VoIP provider, is a telecommunications carrier and therefore entitled to interconnection pursuant to sections 251 and 252." Id., citing Vermont Petition at 1-8.

Please explain in detail why Comcast has requested interconnection with Granby as a telecommunications carrier, when it has represented to the Department that as of April 29, 2008, or shortly thereafter, it will become exclusively a VoIP provider in Massachusetts.

Please submit your responses to these information requests within two weeks from the date of this letter. Thank you in advance for your cooperation with this request.

Sincerely,

/s/
Michael A. Isenberg
Director, Competition Division

cc: Sharon E. Gillett, Commissioner
Geoffrey G. Why, General Counsel